



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroshi FUNAKUBO

Group Art Unit: 1775

Application No.: 10/758,097

Examiner: S. STEIN

Filed: January 16, 2004

Docket No.: 118365

For: METHOD FOR FABRICATING A FE-SI BASED THIN FILM, AND FE-SI BASED THIN FILM

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 19, 2005 Restriction Requirement, Applicant provisionally elects Group I, claims 1-22, with traverse.

It is respectfully submitted that the subject matter of all claims 1-27 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: September 15, 2005

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